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AmEmbassy BUENOS AIRES

Human Rights Violations in Argentina

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Summary. Human rights violations have been committed in Argentina--generally as part of the GOA's anti-terrorism campaign against those thought to be guerrillas or their supporters. The violations fall into three categories. The first is detention without charges. Hundreds of people have been arrested and held without charges under the provisions of the state of siege which was declared on November 6, 1974. The second and third types are torture and assassination. Unlike the first category, these are, of course, not policies publicly announced and openly carried out by the GOA. Given the political moment in which Argentina lives, it appears that such practices will be tolerated for the time being by the GOA (and by many Argentines) as an expedient in the struggle against terrorism. End Summary.

Violations of human rights are sometimes difficult to prove, but that such violations have occurred in Argentina there is no doubt. Due to this lack of documentation, the performance of the GOA in this area must be depicted in generalized terms. Given Argentina's recent history, the fact that human rights violations have taken place is not surprising. Other governments in similar circumstances have reacted with much more systematic and widespread actions trampling the human rights of their constituents. The transition from a military to an elected government, the return of Peron, his death and the subsequent power

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struggle among his followers have all been accompanied by widespread urban terrorism and political violence which has claimed hundreds of lives in the last few years. In response to this situation, the GOA on November 6, 1974, declared a state of siege which suspended all constitutional guarantees.

The GOA's performance in the area of human rights must be analyzed against this backdrop. It would be an exaggeration to say that people in Argentina have been imprisoned for political purposes. Those arrested are jailed because they are terrorists or suspected of being terrorists.

There have been numerous recent detentions without charges under the provisions of the state of siege. At one Buenos Aires prison, there are reported to be 430 persons at "the disposition of the executive branch". Under the Argentine constitution, such detentions without charges are permitted when a state of siege is in effect.

Torture and maltreatment are occasionally used by security forces in their interrogation of persons arrested for terrorist activities. The use of torture can neither be termed widespread nor uncommon. It is employed by the Federal Police, provincial police and Army on a sporadic basis when they have a person in custody whom they feel is an active terrorist and who will yield information on such activities. Investigations are conducted when a person claims to have been tortured, but these investigations generally prove to be inconclusive.

One case in this regard which has been followed very closely by the Embassy is that of Olga Talamante, an American citizen arrested on November 10, 1974, in Azul. Miss Talamante and her companions were arrested for allegedly possessing arms and subversive material. She claims she was tortured with an electrical device during the initial hours of her captivity, but has been well treated since that time. Medical investigations by the police doctor and by a doctor employed by the Embassy revealed no evidence which would prove she had been tortured. These devices, however, are often used precisely because they leave no marks. While the investigation was inconclusive, it was in this instance, unimpeded.

Another facet of the human rights problem is the presence of thousands of political refugees from other countries. Surrounded by military dictatorships (or in the case of Uruguay, a government heavily influenced by the military), Argentina has been a haven for those who have reason to fear these governments. As the GOA has taken on a

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a more rightist hue, and especially since the death of Peron, these refugees have become less and less welcome. The U.N. refugee affairs representative claims that he is aware of at least ten instances of political refugees who have been assassinated. In nine of the ten cases, the victims were Uruguayans, some of whom, according to the U.N. representative, were done in by Uruguayan police. [REDACTED] EO25x1

[REDACTED] Uruguayan police have cooperated with their Argentine counterparts in repressive actions against leftist Uruguayan exiles.

Another even more serious aspect of human rights violations is right-wing terrorism. Dozens of Argentine leftists have in recent months been abducted by persons posing as policemen, or have simply disappeared only to be later found riddled with bullets. There appear to be several independent groups operating in this fashion mostly on their own but with some possible official direction. The groups within the government are thought to come mainly from the Federal Police, the Army and the Ministry of Social Welfare. With regard to right-wing terrorism, it is widely suspected that some of these actions are directed by certain GOA officials. Verification of this fact is all but impossible. That there are officials who would condone such actions is without doubt.

On the whole, the GOA would publicly condemn torture and assassination. Given the political moment in which Argentina lives, however, it appears that such practices will be tolerated for the time being by the GOA (and many Argentines) as an expedient in the struggle against terrorism.

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